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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/802,347	03/17/2004	Stephen S. Griffin	GR-04-01	3639

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EXAMINER

ADDIE, RAYMOND W

ART UNIT	PAPER NUMBER
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3671

DATE MAILED: 02/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/802,347

Applicant(s)

GRIFFIN, STEPHEN S.

Examiner

Raymond W. Addie

Art Unit

3671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/17/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 6 is objected to because of the following informalities: Ins. 4-6; the phrase "a first, or lower, section inward the first section from a first section end member on a first section first end, and" is confusing. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 17, 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Sherrer et al. # 6,722,721 B2.

Sherrer et al. discloses a portable foldable ramp comprising multiple segments (20A-D)

hinged end to end on hinges; each section (20A-D) being of decreasing size from end to end. Said sections curling, folding and otherwise rotating to nest the smaller sections within the larger sections. Said sections (20A-D) rotating generally in the same direction, such that said sections unfolding in a manner limited by section end to end abutment. See Cols. 1-6.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-10, 14-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Beeman # 6,009,587 in view of Sherrer et al. # 6,722,721 B2.

Beeman discloses a portable, foldable ramp comprising:

A plurality of ramp sections (2, 3) each section having a runway defining a top surface and a lower surface; 1st and 2nd longitudinal ends.

A hinge (7), having a bar (8), connecting each pair of ramp sections (2, 3) end to end.

End members (6a, 7a) on ramp section longitudinal ends, and being adapted with

opposing end members of adjacent sections directly abutting together when the ramp is unfolded.

Wherein, when rotating on said hinges (7, 8) into and out of abutment, load forces are conveyed through abutted sections of ramp ends.

Further wherein said hinge is spaced apart from said end members (6a, 7a) so as not to interfere with said end member abutment; such that said hinges are disposed below the runway lower surfaces such that all sections curl together in a same 1st direction of rotation to fold and uncurl in a 2nd direction of rotation opposite said 1st direction at a ramp 1st end folding into parallel face to face opposition with a runway undersurface of the 2nd section (3) forming a pair of sections.

What Beeman does not disclose is using a ramp with more than 2 hinged sections.

However, Sherrer et al. teaches portable, foldable tailgate ramps are advantageously provided with multiple pairs of hinged ramp sections (20A-D), which are foldable in a nested manner and can be further disposed to form an arching ramp assembly, see Figs. 1-4. Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to make the portable ramp of Beeman from multiple pairs of hinged ramp sections, as taught by Sherrer et al., in order to increase the load strength of the ramp assembly.

In regards to claims 3, 5 Beeman discloses strengthening ribs (6) extending longitudinally along the respective runway bottom surfaces between section end members (6a, 7a) with the respective hinge bars (8) passing through rib holes on one

end and with rib hinge ears (4) in like manner of the section panels. See fig. 2.

Wherein each section (2, 3) comprises a plurality of open boxes with longitudinal ends of boxes collectively comprising section end members (6a, 7a), with outer lateral sides of outer boxes comprising section panels, and with inner lateral sides of boxes forming longitudinal strengthening ribs (6). See Fig. 2.

In regards to claims 6-10, 14, 19-21 Beeman discloses the hinge bar (8) passes through section hinge holes in a hinge plate (4) extending vertically downward under the runway lower surface of a lower section inward of the 1st section (2) from a 1st section end member (6a) on a 1st section 1st end; such that the hinge ears (4) of a 2nd adjacent section (3) fit on the hinge bar (8) inward of the hinge plate (4) of the 1st adjacent section (3). Beeman further discloses the hinge plate (4) further comprises a vertical panels on section lateral sides from which the hinge ears (4) and hinge plates (4) extend. Sherrer et al. teaches it is advantageous to graduate the lengths of the hinged ramp sections, to facilitate nesting the sections when folded. Sherrer et al. further teaches the section panels of each side, slide in scissor-like fashion with respective section panels of an adjacent section (20A-D) upon ramp folding mutually aligning the folding sections.

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In regards to claims 15, 16 Beeman discloses the ribs (6) are parallel and spaced apart forming a slot there-between, such that the pair of ramp sections (2, 3) are capable of nesting together. Sherrer et al., teaches it is desirable to permit multiple pairs of ramp sections (20A-D) to assume a nesting configuration to reduce transport and loading size of the ramp assembly. Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to make the ramp assembly of Beeman, in multiple, nestable pairs of hingedly adjoined ramp sections, as taught by Sherrer et al., in order to span large expanses. See Sherrer et al. figs. 2-4.

4. Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beeman # 6,009,587 in view of Sherrer et al. # 6,722,721 B2 as applied to claim 1 above, and further in view of Beard # 4,606,090.

Beeman in view of Sherrer et al., disclose a portable, foldable ramp assembly made of either metal or plastic, to reduce weight, and facilitate portability; and clearly illustrates the hinge bar (8) is accessible for use as a carrying handle. See Fig. 2; but do not suggest providing the ramp assembly with wheels. However, Beard teaches transportation of portable ramps is facilitated with ground engaging wheels (80). See col. 3, lns. 7-21; Figs. 1-3, 8. Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to provide the portable ramp of Beeman in view of Sherrer et al., with caster wheels, as taught by Beard, in order to improve mobility and utility.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Guidry et al. # 4,571,144 discloses a tailgate ramp. Altieri et al. # 4,864,672 discloses a dockplate. Myrick # 6,119,634 discloses a portable ramp. Estevez, Jr. # 5,287,579 discloses a loading ramp. Lentini # 5,440,773 discloses a foldable ramp. Cole # 5,988,725 discloses a foldable ramp. Renze et al. # 6,378,926 B1 discloses a truck ramp. Allen # 6,430,769 discloses a wheelchair ramp. Henderson # 6,634,848 B2 discloses an truck ramp.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond Addie whose telephone number is (703) 305-0135. The examiner can normally be reached on Monday-Friday from 7:00 am to 2:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas B. Will, can be reached on (703) 308-3870. The fax phone number for this Group is (703) 872-9326.

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The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). On or about 3/30/05 Examiner Addie's telephone number will become (571) 272-6986.



**Raymond Addie
Patent Examiner
Group 3600**

**RWA
2/20/2005**